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Bio

Eva Hartmann is a lecturer in the Faculty of Education at the University of Cambridge/UK. She has widely published on cross-border recognition of higher education qualifications in the context of an emerging European and international labour market, on cross-border quality assurance as well as the internationalisation of further and corporate education. Her most recent research project focuses on the rise of a transnational private authority in the sphere of education.

The future of universities in a global risk society[1]

Abstract

This contribution concurs with Mittelman and also considers the quest for truth a core purpose of universities. However, it rejects the idea that there is one panoptical view of the world, one single truth that could guide such a quest. Drawing on a systems-theoretical perspective and its emphasis on specialisation and fragmentation, I rather explore the role of universities in a world that can only partially be known. Such a perspective sheds fresh light on the rise of external quality assurances agencies as a second-order observation that enables further specialisation of universities. The study of the rise of this remote steering mechanism reminds us of the limits of a country comparison that does not account of the multiscalarity of policy making, particularly in Europe. However, I will also highlight how most recent changes in higher education policy are characterised by a return to a stronger governmental oversight, undoing some of the liberalisation steps taken in the late 1990s, early 2000s. This transformation not only indicates that we are moving towards an end of globalization as we know it. It can, but does not have to, undermine the universities capacity to deal with complexity, as I will show.

[1] I would like to thank John Brennan, Poul F. Kjaer, Janja Komljenovic, James Mittelman and Pavel Zgaga for their helpful comments on a previous version of this paper. All the errors are of course mine.

Key words: Higher education, quality assurance, Luhmann, risk society, Beck

One thing is certain: amidst all the upheaval, higher education is more important than ever. Between 2000 and 2014 the number of students in higher education institutions more than doubled, rising from 100 million to 207 million (UNESCO 2017). The average gross enrolment ratio ranges from 8% in sub-Saharan Africa up to 75% in Europe and Northern America.[2] A variety of push and pull factors have contributed to this situation, which has major consequences for universities and their future role in society. This text is inspired by and an indirect response to James Mittelman's important stocktaking of key transformations of higher education in different countries, combining sharp observation with important reflections on his own professional experiences in different leading roles within academia (Mittelman 2018).

I concur with many of his appraisals but will privilege a more sociological notion of universities. Such a perspective underlines the multiple purposes universities fulfill. Universities are sites of contestation and mediation between different purposes, many of them conflicting with each other. A case in point is selectivity in access to universities and the vital role universities play in enabling social mobility. Both the form of mediation and the interests mediated have changed since universities emerged out of monastic schools. A stocktaking also needs to be attentive to other sites of mediation such as systems of mass political parties, regulated professions, and faith communities and how their mediation capacity has deteriorated, placing a greater mediation burden on universities.[3]

In this contribution I will focus on the quest for truth, that is nonetheless one of the core purposes of universities. I will argue that we need to radicalise our critique of the idea that there is one truth that has emerged victorious out of a competition between different truth claims. Such an account of truth is still caught up in the long shadow of monastic schools out of which universities emerged. The reason why I would like to underline the plurality of truths is not the postmodern credo that diversity is beautiful. I rather draw on the German philosopher Niklas Luhmann's systems theory to put forward a notion that reflects the highly specialized and fragmented nature of knowledge, where the world can only be known partially but not as a whole. I will further develop this account of knowledge and its implications for our understanding of the role of universities by drawing on Ulrich Beck, and his sociological notion of risk society, who has further

[2] This ratio expresses enrolment as a percentage of the population (typically aged 19 to 23) who are in the five-year age group immediately following secondary school graduation.

[3] We can understand the increase in the polarization in the mass party system as an indicator that this system has lost mediation capacity in some countries. I have argued elsewhere that the further strengthening of competition in highly regulated professional markets has weakened the mediation role of regulated professions, which in turn risks overburdening universities with additional mediation tasks

developed some core ideas of Luhmann. Following Beck, I will argue that the further differentiation of society and specialization is not only the cause of some of today's risks, often due to unintended consequences. It is also pivotal for understanding the problems and how they can be solved in the light of today's complexity. This perspective not only illuminate the diversity of truth but also underlines the importance of reflexivity that helps spotting unintended consequences at an early stage. It provides some interesting ideas for thinking about the future of universities in risk societies. [4]

But the perspective also allows for another reading of an important transformation of the HE landscape that was introduced in the 1990s, early 2000s and that increased the institutional autonomy of universities. This reform has fundamentally changed the relationship between the government and universities, which used to be closely related to public administration and subject to strict surveillance by the education ministry, the main funding body.[5] Scholars tend to discuss this trend mainly in terms of privatization and commodification, where the state has become just one funder and support amongst other, private ones (e.g. Neave 1998, : 276). Pushed to further expand higher education with the same or even less public funding, universities have become more entrepreneurial trying to sell their knowledge as research products, educational services and consumer goods, as Sheila Slaughter and Gary Rhoades showed in their seminal study Academic Capitalism and the New Economy, which is also an important reference for Mittelman's analysis (Slaugther and Leslie 1997). This account of the reforms is certainly not wrong, but it is only half of the story, as I hope to demonstrate in this contribution. A systems-theoretical perspective draws our attention to important attempts to better equip the government to account for specialization and fragmentation of knowledge in a world that can only partially be known and where a "god's view", that understands the world in its totality, no longer exist. The external quality assurance (QA) agencies that were established in many countries in the wake of the reform are a key element of this effort to come to grips with this important fragmentation and specialization.

I will restrict my analysis to European countries, in order to draw our attention to an important gap in Mittelman's analysis. Like most country comparisons, Mittelman's has major difficulties in accounting for the fact that countries have long ceased to be independent entities (if they ever were). A case in point is the introduction of quality assurance agencies. The reorganization of the relationship between the

[4] Gunther Teubner, who further developed Luhmann's systems theory in the sphere of law, assigns law, courts and rulings a key role in ensuring reflexivity (Teubner 1983). Teubner pays surprisingly little attention to how universities as an institutional arrangement can also enhance reflexivity.

[5] I am referring here to Continental European countries. British and American universities used to have a much higher degree of autonomy for historical reasons, if we do not take into account lower strata such as the post-1992 universities in the British case. In countries of the South the transformation is often couched in terms of a post-Washington decentralization.

government and the universities has become a key goal of the Bologna Process aiming at establishing a European Higher Education Area (EHEA). Any country analysis needs therefore to be attentive to the embeddedness of nation states in a broader setting. This embeddedness is most forward in the European context. Talking about a European country as an independent variable just does not make sense. Any comparison of European countries needs therefore to be attentive to EU and other European arrangements as something that is always already part of the nation state. The two levels are thus overdetermined and inseparable. However, the way they are interrelated may differ from state to state. Hence, countries differ in their degree of being an independent variable, something a simple country comparison cannot account for. Mittelman's analysis does address the overdetermination by pointing out the paradox that universities in different countries have become alike and more different at the same time and proposes polymorphism as a term to capture this phenomenon (Mittelman 2018, p 206). This term has certainly many advantages over isomorphism, a term coined by the Stanford World Society approach developed by John Meyer and others that underlines global convergence but ignores divergences occurring at the same time (Meyer 2009, for a good critical discussion, see Griffiths and Arnove 2015; Robertson and Dale 2015). The problem of the Stanford approach is that it simply replaces a methodological nationalism with a methodological globalism. The term polymorphism avoids this shortcut but lacks analytical sharpness. What we need is a better understanding how national and postnational arrangements interact and interrelate. But not only scholars grapple with understanding this new hybrid constellation. Political discourses such as the BREXIT discussion illustrate the difficulties the general public has in understanding the interdependency of nation states, which turns any hope of a return to a self-sufficient island into an illusion. I hope to contribute to a better understanding of the dynamic between the different scales by firstly focusing on the European Union (EU) and the intergovernmental Bologna Process and secondly on three different European countries. The dynamic between different scales is not unique to the EU but its more formalised nature makes it easier to examine it.

My empirical study will also draw our attention to most recent development that are not yet reflected in Mittelman's analysis, too recent are they. BREXIT or Trump's America First indicate a return of a strong national government, undoing in many cases the lightening of governmental oversight introduced in the 1990s that was a crucial enabler for globalisation. I will outline how a strengthening of governmental oversight also plays out in the sphere of external quality assurance. The return does not come with the shrillness of current neo-mercantilist calls to give priority to national interests. However, as I will show, it can, although it does not have to, undermine the capacity of universities to deal with the increasing spezialisation and fragmentation of knowledge production with important consequences for the role of universities in a risk society. I will show this by using Kosovo, the

UK and Germany as three different case studies.

Decentralization of knowledge

Many scholars have tried to get to grips with the twenty-first century emerging after the "short twentieth century" (Hobsbawm 1995) by using notions like the knowledge-based economy, or industry 4.0 as the new kid on the block is called, much in the vein of Bell's post-industrial society (for a more critical account, see Jessop 2000). The strong focus on the economy runs the risk of overlooking the more general transformation of social bonds as a result of further differentiation. Beck and his account of the transformation of modern society into a risk society provides an alternative avenue (Beck, Giddens, and Lash 1994). Modern societies have become ever more differentiated and complex so that many consequences of actions have become difficult to anticipate. Beck's perspective is strongly influenced by Niklas Luhmann's systems theory (for a comparison, see Lash 2003). Both scholars illuminate the increased importance of highly specialized sub-systems. They are "auto-poietic" in their orientation, being highly specialized with their own codes, values and principles that they use to delineate their own unity and to define what counts as their environment. Following Luhmann, we can understand these different functional systems as always already global. "The system of science, the economic system, the system of mass media operate and observe clearly on a worldwide level. Each system is thus environment to the others, being observed by them along their own codes and values." (Luhmann 1993, 775).

This first order observation is complemented by a second order, meta-observation where the system observes how other systems observe. Social science is a case in point (Luhmann and Behnke 1994). The researcher observes what the object of her observation observes. This could be, for instance, a study of a specific governmental policy. Our researcher may also seek to identify the blind spots of the system she observes, at least according to her own codes and values, which brings the perspectivity and contingency of the other system's observation to the fore. She can go a step further and critically interrogate the blind spots of the distinctions she uses in her own observation, the condition of possibility of her observation. However, this would require new distinctions which she cannot reflect on in the very moment of using them (Luhmann and Behnke 1994, p. 23). It is for this reason that Luhmann rejects the idea of final units. "No one can see everything, and one gathers possibilities of observation only by engaging in distinctions that are functioning blindly at the moment of observation because they take the place of, and must hide, the unobservable unity of the world." (Luhmann and Behnke 1994, p.23). We can thus use distinctions to observe, or we can observe the distinction but only by using other distinctions which we cannot observe at this very moment. The observer cannot escape this limitation, not

even through self-reflection, since it requires new forms of distinctions. "[A]ny attempt to designate a unity requires new distinctions and, in turn, renders the ultimate goal invisible. Knowledge - - as, in a different way, art – serves to render the world invisible as the "unmarked state," (…). Any other attempt must be content with paradoxical or tautological descriptions (…)." (Luhmann and Behnke 1994, p.23).

As a consequence, Luhmann rejects a transcendental understanding of society where the scientist is in the privileged position of being able to unearth the transcendental truth. Such an account of knowledge questions a simple accumulation logic assuming 'the more the better', which was put forward by the Enlightenment. The consequence is, however, not relativism but rather a strong quest for reflexivity that helps to spot blind spots and to account for other ways of reasoning. "Functional differentiation thus imposes on systems an obligation to reflect on their own singularity and irreplaceability, but an obligation which must also take into account that there are other functional systems of this kind in society." (Luhmann and Behnke, 1994, 11).

Beck's thinking about risk society and reflexive modernity draws on this idea of a radical decentralization of knowledge production. However, his analysis is much less functionalist and rather concerned about the negative consequences partial knowledge can have in terms of the unintended consequences it may produce.

Risks in the 21st century

Risk society is not necessarily more exposed to risks than its predecessor, the industrial society. The difference is to be found in the new awareness of, but also exposure to, undesired side-effects that accumulated under the cloak of successful wealth creation in many parts of the world after the end of World War II.[6] In other words, the risks are self-manufactured. Cases in point are global warming, pollution and the scarcity of natural resources. Beck seeks to account for these new risks with his concept of risk society. His concerns resonate with the worries about the social cement that troubled the first generation of sociologists. However, the risks he addresses are not caused by the move from traditional to modern societies. On the contrary, they are the effects of late modernity undermining the social cement of modernity and becoming a systemic risk. What once helped to establish modern society now weakens its foundations, almost like an auto-immune disease turning the system against itself. A case in point is the individualization now undermining other core social institutions of modern societies such as the nuclear family, communities and the collective identity of a "nation as an imagined community" (Anderson 1991). Unintended

[6] Unfortunately, Beck and other scholars of reflexive modernity do not reflect at all the role colonies and their exploitation played in the constitution of the industrial societies (Bhambra 2014; Connell 2007).

consequences can also be the result of intentions that were too narrow in scope and did not anticipate broader ramifications, as in the case of nuclear power, genetic engineering or digitalization that all have rule-changing consequences. Another source of risk is the further deepening of the division of labor across the globe that stands in sharp contrast to the national orientation still informing most policy making. Beck refers to this transformation as second-order side effects where "the side-effects of social institutions result in new conditions that call them into question." (Beck, Bonss., and Laudel, 2003, p. 14). But Beck's analysis does not end on a pessimist note. Addressing the risks also produces ideas about what the common good should be. Catastrophes can cause an anthropological shock that might trigger a social catharsis with transformative consequences. Beck speaks of emancipatory catastrophism (Beck 2014). Universities can play a vital role in this learning process.

Unfortunately, Beck's social theory remains, like Luhmann's, within a liberal tradition and fails to account for important power relations. Many of the negative externalities are not unintended but the very result of intentions pursuing profit at the cost of others. Beck tends to overlook how power and knowledge are always closely connected, as Michel Foucault brilliantly outlines in his study examining "strategies of relations of forces supporting, and supported by, types of knowledge." (Foucault 1977, p. 196). As a consequence, the perspective lacks a notion of contestation between the different systems and types of knowledge. These shortcomings certainly weaken the explanatory power of Beck's account of modern society. However, on a more descriptive level, his account helps us to get to grips with a new quality of the social cement of societies that are no longer held together by a centripetal force, as many scholars in the Durkheimian tradition assume. It can better account for the fragmentation and differentiation of society than many critical scholars, who tend to restrict their analysis to one key unit, the elites. Elites certainly have a better capacity to pursue their interests and to present their partial view of the world as a universal one since they also have the power that Max Weber defines as 'the probability that one actor within a social relationship will be in a position to carry out his own will despite resistance' (Weber 1978, p. 53). However, they lack the capacity to know the world in its totality, let alone the consequences of their actions even though they might minimise their benefits in the long run. But the same applies to the disenfranchised who might, as Hegelian slaves, know more of the world than their masters. Their understanding will still remain partial in a world that has become so complex that it can no longer be understood from one single standpoint. Such an understanding of knowledge has important consequences for how we envisage the future of knowledge production and the role of universities in this context.

Reflexivity and self-organization

Putting unintended consequences at the center has important consequences for how we think about governance in 21st century society. Risks "cannot be dealt with and assimilated in the system of industrial society" (Beck, Giddens, and Lash 1994, 6), since they are the result of the system.[7] The philosopher Paul Virilio addresses the fundamental problem of all new invention in his seminal work *The Original Accident* (Virilio 2007). The accident is an intrinsic part of the property of an object. To invent the railway is to invent the rail accident of derailment (ibid. 10). The more complex the invention, the more difficult it is to identify its intrinsic downside. This has major consequence for the way we envisage good governance, replacing "the short 20th century" (Hobsbawm 1995) management of crises that has got into crisis itself, as the German sociologist Clause Offe put it (Offe, 1976). The new crisis management needs to be informed by what Bruno Latour describes as the "heightened awareness that mastery is impossible" (Latour 2003, p. 36). It requires more than just resilient institutions and individuals but rather a structure that helps the different sub-systems to account for each other in order to mitigate unintended consequences. This perspective no longer assumes that such a task can be done alone by the centripetal force of a national or even world government. Such a hope would be just another variation of the religious tradition believing in an ultimate unity of knowing the world.

It is for this reason that Beck develops an emphatic notion of politics with an emphasis on decentralization and corporatism.[8] "Self-organization means (reflexive) subpolitization of society", as he puts it (Beck 1997, p. 140). The close link that Beck establishes between corporatism and self-organization strongly resonates in the English-speaking world with the ideas of Guild Socialism that had been famously developed by G.D.H. Cole and that today still informs many cooperatives (Cole 2011[1920]).[9] Further developed in the line of Luhmann's systems theory, such a perspective understands society as a highly differentiated, though also strongly connected world where a top-down mastery is impossible. This has important consequences for its governance.

The increased autonomy of universities

Against this theoretical backdrop, we can better understand the consequences of the increased institutional autonomy of universities as it has been established in many countries since the 1990s. Today, most European universities are entitled to recruit the majority of their staff without the

[7] There is still a need to rethink the notion of risk societies in terms of "multiple modernities" (Eisenstadt 2003) while accounting for the postcolonial critique of a country comparative approach (for an interesting attempt, see Lee 2008).

[8] For an excellent introduction to Luhmann's notion of politics see, see King and Thornhill 2003, 180.

[9] This notion of corporatism differs in important respects from an understanding that connects corporatism with big business interests, an understanding that prevails in particular in the English-speaking world.

approval of the government (Estermann, Nokkala, and Steinel 2011, p. 38). In the majority of European countries, universities also gained the competence to allocate funding through block grants according to their own preferences. In almost half of the 29 countries any restrictions regarding the allocation of funding have been abolished, as many universities are allowed to create their own legal entities, in 19 countries without any restrictions, which means they can also establish for-profit entities (ibid.: 24). These reforms made it possible for universities to develop their own entrepreneurial strategies. Many did so, given that they had to cope with an increase in student numbers that was often not matched with an appropriate increase in public funding.[10]

However, it would be a mistake to reduce this fundamental reform of higher education to a neo-liberal project. The reforms have paved the way for further decentralization, specialization and differentiation of the HE landscape. In a recent report the European University Association (EUA), the European self-governing body of universities, speaks of smart specialization and underlines the importance of contextuality to ensure that universities are able to address today's challenges across disciplines and research fields (EUA, European Commission, and RIS3 2013).

The evaluative state

These reforms had important implications for governments-university relationship. They lightened the governments' iron-cage control, turning surveillance into "arts of remote steering", as the education researcher Guy Neave calls it in his analysis of the evaluative state (Neave 1998, 266; for excellent historical studies see Neave and Amaral 2012; Rüegg 2011). His study draws a nice parallel with a sailor's ex-post course-correcting, which keeps re-adjusting rather than steering. The notion of the evaluative state well resonates with systems-theoretical scholar Helmut Willke's notion of the supervision state (Willke 2007). Willke introduced this term in his critique of Luhmann's strong decentralization, where he warned against giving up too hastily the state as a coordinating mechanism. Wilkens envisages a role for the state as a guarantor ensuring that no sub-system can impose its rationality on other systems or externalize costs. The introduction of quality assurance (QA) agencies is a crucial part of this re-articulation of the relationship between the government and universities. These intermediary bodies provide an evaluative infrastructure with a strong peer-review dimension, on which the government grounds its decision to provide an institution with funding and the right to award degrees.

The QA agencies observe universities in two ways. In a first-order observation they evaluate study

[10] In some cases, like the UK the public funding has decreased even in absolute terms. See Eurostat 2018, General government expenditure by function (COFOG), gov_10a_exp, 1990-2017. http://appsso.eurostat.ec.europa.eu/nui/submitViewTableAction.do [last accessed 17/01/2019].

programmes, providing the ground for programme or institution accreditation based on their own codes and standards. A second-order observation evaluates the internal quality assurance mechanisms that universities have put in place, hence how universities observe themselves with a view to identifying blind spots. Following a systems-theoretical perspective, we can understand this reform as an attempt to allow for more diversity and to respond to the increased complexity of knowledge production in the light of the government's awareness that it cannot "see everything", as Luhmann puts it (Luhmann and Behnke 1994, p. 23).[11]

However, a closer analysis of the transformation puts a structuralist explanation into perspective and brings power struggles back into the picture. The re-articulation of the relationship between the government and universities was and still is highly contested, with competing ideas about the right balance between governmental control and the independence of HE institutions (Rosa and Teixeira 2014; Bejan, Janatuinen, and Jurvelin 2015; Hartmann 2017; Kauko, Rinne, and Takala 2018). The right degree of reflexivity and accordingly the composition of the agencies has equally become a topic of contention. Most agencies that have emerged since the 1990s are registered associations, foundations or consortia (Rosa and Teixeira 2014).[12] Academics play a key role, since the quality control is organized as peer review. In many cases students also have a say in the evaluation, in addition to representatives from the business world.

European meta-governance

The fact that the European Union (EU) and the intergovernmental Bologna Process have both been important proponents of external quality assurance since the 1990s brings the international dimension of this transformation of the state-university relationship to the fore. European education ministers as well as the European Commission identified the potential of this evaluative infrastructure to underpin the creation of the European Higher Education Area (EHEA) of at an early stage (European Parliament and Council 2006, p. 4).[13] On the occasion of the Bologna follow-up conference in Berlin in 2003, the European education ministers agreed not only to implement such a governance structure in their own countries but also to develop European standards for it (Berlin Communiqué 2003). Two years later they adopted the European Standards and Guidelines for Quality Assurance (ESG) in Bergen (Bergen Communiqué 2005, p. 3).

[11] As a result, the number of study programs has significantly increased in most countries. In Germany the number moved from 11.265 in 2007/8 to 18.467 in 2016/17 (HRk 2016).

[12] For a good overview on different types of agencies, see the European Quality Assurance Register for Higher Education at www.eqar.eu.

[13] This does not imply that there were not very important differences between the EU Commission and the Bologna Process. (For a closer analysis of the tension between the European Network of Quality Assurance Agencies (ENQA) and the European Commission, also see Hartmann 2017).

The ESG promotes specific standards for the internal quality assurance carried out by the respective institution of higher education itself and for external peer-review-led quality assurance mechanisms carried out by QA agencies (for the most recent update, see EQAR 2015). Most important for our study is the independence requirement. The guidelines provide that the agencies need to be recognized by the government but should be legally independent with "full responsibility for their operations and the outcomes of those operations without third party influence." (3.3 EQAR 2015, p. 22) The notion 'third party' is not restricted to the government. It also excludes quality agencies that are self-regulatory bodies of the universities, as for instance the American Council for Higher Education Accreditation (CHEA) is.[14] The same applies to quality assurance agencies owned by professions such as the American ABET, which accredits college and university programs in applied and natural science, computing, engineering, and engineering technology.[15] However, this independence requirement only refers to the ownership of the agency. The guidelines underline the importance of including "employers and external partners of an institution." (EQAR 2015, p. 7) besides academic experts and students. In other words, the European norms envisage QA agencies as a neutral facilitator that invites different stakeholders to deliberate about the meaning of quality in higher education. The document explicitly states that 'stakeholders (..) may prioritize different purposes (…) and quality assurance needs to take into account these different perspectives.' (EQAR 2015, p. 7). The guidelines further detail standards for the governance of QA agencies. In particular, they need to have in place their own internal quality assurance and an appeal mechanism. A cyclical re-accreditation of the agencies by the respective public body responsible is designed to ensure that the agencies comply with the guidelines for their self-governance. In other terms, not only the different disciplines and faculties are asked to be self-reflexive. The same imperative also applies to the observer of the observer. However, the guidelines elaborate little on the conditions that need to be in place to ensure that an external QA increases the overall reflexivity of the system. It does not address the risk that a lack of institutional strength may compromise the credibility of QA agencies as a facilitator. It also ignores the risk that quality assurance can easily turn into just another bureaucratic iron cage, or a neoliberal bureaucracy, as Béatrice Hibou puts it in her analysis of the mushrooming of private standards since the 1990s (Hibou 2015). I will come back to these risks later on.

At the Bologna follow-up conference in Bergen in 2005, the ministers went a step further by agreeing on an additional observation layer (Bergen Communiqué 2005, p. 3). QA agencies not only need to be registered with their government. They can also register with a European body,

[14] This association, the largest in the US, is a membership organization with about 3,000 degree-granting colleges and universities. See www.chea.org [last accessed 17/01/2019].
[15] See www.abet.org [last accessed 17/01/2019].

the European Quality Assurance Register for Higher Education (EQAR), established in 2008, provided they comply with European standards. The European registration is a soft law regulation. Although a number of governments made a registration compulsory for their own quality assurance agency. The ministers also created incentives at European level. In particular, they agreed to facilitate the mutual recognition of qualifications issued by institutions that have been quality assured by an EQAR registered agency, which has turned this control mechanism into an important pillar of the European Higher Education Area (EHEA) aiming at facilitating cross-border mobility.[16]

Four years after the foundation of EQAR, the education ministers went a step further by allowing "EQAR-registered agencies to perform their activities across the EHEA, while complying with national requirements." (Bucharest Communiqué 2012) This step helped to establish a European wide observation structure that provides the basis for the government's decision to fund a university. A closer look at the international activity of QA agencies is interesting, as it shows that the international activities of QA agencies are not restricted to EHEA countries. The German Accreditation, Certification and Quality Assurance Institute (ACQUI), for instance, also provides its evaluation service to universities in Egypt, Ethiopia, and Oman, and the British Quality Assurance Agency for Higher Education (QAA) is also active in Kuwait, Macau, Trinidad and Tobago and the United Arab Emirates.[17] In other words, these intermediary bodies not only make a more specialized observation possible but also strengthen its transnationalization . This structure provides therefore an interesting mechanism for addressing risks and unintended consequences in an always already global risk society.

However, the emphasis on national requirements in the Bucharest Communiqué also indicates the political sensitivity of a transnational evaluative infrastructure designed to inform the decisions of governments. The emphasis on national requirements provides governments with some important discretionary power in their accreditation of quality assurance agencies, and almost all EU governments have additional national requirements in place for foreign agencies active in their own territory. In half of the countries these requirements are rather light, allowing universities, at least in principle, to choose from EQAR registered agencies. The agencies still need to be recognized by the respective government but can benefit from a lighter recognition procedure than agencies that are not EQAR-registered. Other governments were a bit more reluctant to fully accept the European standards and allows higher education institutions to select from the EQAR

[16] Another important enabler where the rise of the number of European academic associations since the 1990s intensifying the European interaction between different disciplines and bodies (see e.g. Fumasoli and Seeber 2017).
[17] www.qaa.ac.uk [10/11/2018].

pool only 'under certain conditions'[18]. This provision gives them more discretionary power. These different degrees of accepting European standards as national ones provide some interesting insights into the varieties of polymorphism. We could speak of different degrees of the Europeanization of the HE landscape. Such a perspective challenges the core assumption informing country-comparative approaches according to which countries are independent variables. However, it also highlights that not all EU countries take equally part in the Bologna Process. We could refer to it as a differentiated integration.

Since its foundation EQAR has become an important mechanism to supervise the compliance with the ESG standards. For instance, EQAR rejected the registration of the European Council on Chiropractic Education (ECCE) on the grounds that it had no proper appeal mechanism in place.[19] Most importantly, it keeps an eye on institutional independence. With each re-accreditation, it checks, for instance, to see whether QA agencies that are part of a self-governing body, like for instance the Quality Assurance Unit of the Flemish University and University Colleges Council, have an independent review body in place in order to avoid conflicts of interest.[20] It is this institutional autonomy that I will focus on in the remaining part of the paper since this is a key feature of the new mode of supervision. I will show that it has come under important pressure in the last few years in ways that risk weakening its reflexivity capacity.

The authoritarian turn

A very straight forward attempt to undermining the institutional autonomy of the observer of the observers happened in 2017 in Kosovo when the Kosovo Minister of Education, Science and Technology dismissed, on request of the prime minister, the Board of the State Quality Council (SQC) in charge of supervision of the Kosovo Accreditation Agency (KAA) (EQAR 2018). The dismissal caused major public outrage. It was widely criticized as non-transparent and unlawful since it did not respect the legal regulation ensuring the independent authority of SQC (see e.g. Hoxha 2018, p. 6). The authoritarian intervention of the prime minister left KAA non-functional for more than seven months and made EQAR to de-register the agency since the act prevented KAA from assuming '"full responsibility for [its] operations', which is required by one of the standards for registration (ESG standard 3.3) " (EQAR 2018, p. 4). But EQAR also offered to re-registrate the agency, should an evaluation show that the institutional autonomy had been re-installed. The European Network for Quality Assurance in Higher Education (ENQA), the

[18] ttps://www.eqar.eu/kb/cross-border-qa/mapping-system-openness-to-cbqa/
[19] https://backend.deqar.eu/reports/EQAR/2017-06_A29_RejectionDecision_ECCE.pdf
[20] See for instance the last re-registration report
https://backend.deqar.eu/reports/EQAR/2015_20a_VLUHR_QA_ApprovalDecision.pdf

European professional association of QA, helped to increase the European pressure by threatening to exclude KAA from its membership.

A closer look at the reason of the government for the dismissal brings an important shortcoming of the new supervision structure to the fore. The prime minister justified his action with important irregularity in the accreditation process and broadly shared concerns about the Kosovan HE landscape, that had thirty accredited HEIs at that time, nine public and twenty-one private, for a population of only 1.9 million people. This disproportional quantity of institutions, as well as important doubts about the quality of some of them, had shed a negative light on KAA and its professionalism. It was accused of accrediting institutions and study programmes rather based on their political standing and not according to quality standards. More neutral voices underline the lack of staff that would have allowed the agency to carry out its tasks properly (see e.g. Hoxha 2018). But the Kosovo case also sheds light on the limits when such a structure of external control is essentially imported as a top-down copy-and-paste solution without taking the local cultural and power context into account. In the Kosovo case it was in particular the Austrian Development Agency that played an important role in implementing such a structure in the context of international aid to a post-conflict region.[21] The intervention of the prime minister damaged the authority of the KAA even more.

The Kosovo case provides important insights into the conditions that need to be in place to ensure that the observation of the observers increases the overall reflexivity of the higher education landscape. The prospect of getting re-registered again by EQAR certainly helped KAA to regain credibility as an independent authority. The problem however still remains in terms of the agency being an institutional lightweight that is at risk of getting hijacked by powerful parties. It confirms Willke's concern that without a strong guarantor, sub-systems can impose their rationality on other systems or externalize costs to the detriment of the common good (Willke 2007). The European oversight cannot compensate for this more fundamental problem, as we can also observe in other cases.[22] But the institutional autonomy of QA agencies has also become increasingly under pressure in other countries, although for different reasons. Using England and Germany as cases I will point out two types of challenges that this supervision structure is confronted with: an ordo-liberal and a Humboldtian.

The ordo-liberal challenge

[21] I would like to thank Pavel Zgaga for drawing my attention to this fact. See also https://www.entwicklung.at/en/countries/south-eastern-europe/kosovo/ [last accessed 17/01/2019].

[22] For an interesting analysis of the tension between an authoritarian regime and European standards for HE in the case of Russia, see Marquand and Scott 2018.

Like in many other European countries, the UK established a new external quality assurance at the end of the 1990s. The British Quality Assurance Agency for Higher Education (QAA) was created in 1997 (Brown 2000). It was to lighten governmental oversight but also to end an unpopular dual regime that had been introduced in 1992 when the Higher Education Quality Council was established to monitor teaching institutions while the three national higher education funding councils were put in charge of assessing the quality of teaching by means of subject-by-subject institutional inspections. With the inception of the QAA the subject review and the institutional audit were brought under one institutional roof, taking over not only functions but also staff from the Higher Education Quality Council and the quality assessment divisions of the Higher Education Funding Council for England (HEFCE) and Higher Education Funding Council for Wales (HEFCW).

However, the QAA had a difficult start not at least since it reduced the autonomy of the upper-tiers universities. Some of the Russell Group universities even openly considered seceding from the new QA system.[23] This resistance points to an important difference between the English and the continental European cases. At least the pre-1992 universities enjoyed a relatively high degree of autonomy with full control of their internal operations and the right to award degrees in perpetuity (Hasley 1995).[24] In addition, they benefited from a gentleman-agreement with the government that a relatively important discretionary power of the public funding bodies had made possible, turning them more into a mediator between the government and the universities than a surveillance body. David Melville, a former Chief Executive of the Further Education Funding Council for England, a sibling of HEFCE, describes the HEFCE of the past as a buffer body.[25] It used to shield universities from the whims and excesses of the revolving door of government ministers and too much parliamentary influence. Melville quotes a very senior civil servant describing the CEO of HEFCE as having "a tin ear when it came to proposals from government".[26] But HEFCE also had to take the flak, and often covered the backs of ministers.

QAA's difficulties in gaining legitimacy well illustrates the political issues at stake when subsystems are asked not only to reflect on their own singularity and irreplaceability but also to take into account that there are other functional systems in society they might have an unintended impact on. Luhmann's functional theory provides us with little heuristic tools to account for these power

[23] https://wonkhe.com/blogs/were-likely-to-be-miss-hefce-more-than-we-know/ [last accessed 17/01/2019].
[24] 1992 refers to the Further and Higher Education Act 1992, which gave polytechnics and colleges the status of universities.
[25] https://wonkhe.com/blogs/were-likely-to-be-miss-hefce-more-than-we-know/
[26] https://wonkhe.com/blogs/were-likely-to-be-miss-hefce-more-than-we-know/. This does not apply to the post-1992 universities that were previously polytechnics and colleges and used to be largely under local authority control .

struggles. The English case however illustrates well, on an empirical level, the complex process and the time it takes to make sub-systems accepting the reflexivity imperative.[27]

The tragedy of QAA was that it had never much time to fully gain legitimacy. Already from the mid 2000s onwards, HEFCE started to gradually take back its oversight competence. In other words, similar to the Kosovo case, we can observe a return to a more heavy-handed governmental oversight. However, the English case differs in important respects. The change is backed by the Parliament and also not a reaction to irregularity. Gill Evans, Emeritus Professor of Medieval Theology and Intellectual History at the University of Cambridge, explains the shift in authority in terms of a weakening of HEFCE's role as a funding body, given that the bulk of funding for teaching now comes from student fees, first introduced in 1998.[28] Strengthening its role as a lead regulator helped HEFCE to counterbalance an important loss of influence, he argues. The terms of reference of the UK Standing Committee for Quality Assessment (UKSCQA) confirms this appraisal. UKSCQA is a membership organization, but is under control of HEFCE and its sibling funding bodies and has been established to overview the quality assurance of the QAA. The terms of reference state:

"It will remain important for this [QA] process to be owned by the sector, and for work to be undertaken by the QAA. However, the inclusion of the Standing Committee in the overarching governance arrangements is deliberately designed to allow the funding bodies to satisfy themselves that the [quality] code is developed in such a way that each funding body is able to discharge its own statutory responsibilities and to contribute appropriately to broader, UK wide developments in quality assessment. "(UKSCQA 2018b, p. 1)[29]

The QAA was essentially downgraded to the status of an operational body in charge of helping the UKSCQA, under the oversight of the UK funding bodies. Most importantly, the QAA was no longer in charge of developing its own evaluation standards, as it used to do in collaboration with the higher education institutions. The evaluation has become couched in terms of consumer protection and a value for money, turning the Competition and Markets Authority into a watchdog of the HE landscape (for an excellent analysis, see McGettigan 2013). The new observation criteria that the QAA now has to use define value mainly in terms of student satisfaction, retention, and employability. Merging HEFCE and the Office for Fair Access, promoting access to HE, into the Office for Students (OfS) in spring 2018 was just the next logical step. The new evaluation has to

[27] I mainly refer here to England given that some arrangements are different in Wales and in particular in Scotland worth further exploration.

28 Gill Evans (2015). Why retire higher education's watchdog? Times Higher Education June 11, 2015, www.timeshighereducation.com/why-retire-higher-educations-watchdog

[29] Another good illustration of the new hierarchy is the 2018 revised UK Quality Code for Higher Education, which was developed by QAA "on behalf of the UK Standing Committee for Quality Assessment" (UKSCQA 2018a).

be metrics-led and outcome-oriented, making use of the data of the Higher Education Statistics Agency (HESA) (see DoE 2017; BIS 2016). This strong emphasis on metrics in the evaluation of quality stands in sharp contrast to the European quality standards, which not only underline the importance of including different stakeholders in the evaluation process but also observe that 'stakeholders (..) may prioritise different purposes (…) and quality assurance needs' (ibid, p. 7). (3.3 EQAR 2015, p. 22).

A number of critical observers describe therefore the change as the end of the co-regulatory system of quality agreed by institutions, funders and students.[30] EQAR's Register Committee also concluded in a recent report about England that "QAA is no longer responsible for the quality assurance of the entire system in England and that the responsibility is now being placed with The Higher Education Funding Council for England." (EQAR 2017, p. 2).

Following Michel Foucault's study of governmentality, we can understand this emphasis on the role of a strong state as an ordo-liberal turn.[31] This type of liberalism rejects the neo-liberal assumption that the market will regulate itself. In contrast to neo-liberal *laissez-faire* orientation, an ordo-liberal perspective therefore underlines the key role of a strong state in ensuring competition (Foucault 2008, p. 118; see also Bonefeld 2013). An appraisal informed by systems theory illuminates two closely related risks of this metric-led, single-purpose perspective. Firstly, the meta-observation itself is no longer a site of contestation. The narrow perspective undermines the reflexivity capacity of the meta-observation that would have helped it to identify the blind spots of its own perspectivity.[32] The second risk is essentially a consequence of the first change. The reflexivity imperative imposed on the observed, the universities, privileges only two environments that they have to pay attention to: The consumer/student satisfaction and the demand of the labour market (for other critical reviews, see Izak, Kostera, and Zawadzki 2017; Smyth 2017; Fraser and Taylor 2016).

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[30]There was some important resistance to this major shift towards an ordo-liberal "metric power" (Beer 2016) in the observation style. The British Academy, a group of around 1,400 leading national and international academics from the humanities and social sciences, for instance, warned that "[t]he use of metrics to assess teaching quality should be done with caution, particularly in the case of student opinion" (British Academy 2016, 2). However, the government was quick to brush off this concern. In its recent white paper, Success as a Knowledge Economy: Teaching Excellence, Social Mobility and Student Choice, the government admits that "[m]easuring teaching quality is difficult."(BIS 2016, 46). And then: "[b]ut it is not impossible. Some of these metrics [e.g. student satisfaction and employment rate] are of course proxies – but they directly measure some of the most important outcomes that students and taxpayers expect excellent teaching to deliver." (ibid)
https://www.timeshighereducation.com/news/hefce-fires-starting-gun-quality-assurance-bidding#survey-answer

[31] This type of liberalism goes back to the Freiburg School established by Walter Eucken, Franz Böhm and, to a certain extent, Alfred Müller-Armack (Foucault 2008, : 129, 160; Müller-Armack 1978, : 327).

[32] It is almost an irony that the Office for Students gives little voice to students, as the national body representing students (NUS) has pointed out. Their participation is reduced to one student appointed to the board and a student panel with little power. https://wonkhe.com/blogs/a-beginners-guide-to-the-office-for-students/

The risk is further exacerbated by the metric-based output performance control that started to prevail in the academic knowledge production. A recent survey of Nature well illustrates the consequences.[33] The answers of 1576 researchers underline the difficulties they were often confronted with when trying to find a prestigious publisher for studies showing no or negative results. Studies showing that certain experiments were not reproducible have similar difficulties in finding a publisher.[34] In other words, the metric-based performance focus risks undermining the self-correction and reflexivity of science as a sub-system. However, the self-correction has become even more important in the light of an increase in faked results. Studies show that under conditions of fierce competition researchers are increasingly cutting corners and fudging data in order to increase the number of career-defining publications.[35]

The reframing of academic knowledge as a key productive force in the knowledge-based economy and industrial funding of HE research further undermine the reflexivity capacity of academic research. New scientific discoveries that need to sell themselves to the economy cannot afford to spoil the good news by elaborating on the associated risks. The accident is however an intrinsic part of the property of an object, as Virilio reminds us (Virilio 2007). The accidents that then happen are seen as an unintended consequence for which society was not prepared. The "value for money" imperative as well as the metric-based performance control, introduced to ensure taxpayers that their money was being well spent, are paradoxically at risk of producing the opposite. They undermine the universities' capacity to play a vital role in anticipating unintended consequences.

But the government's attempt to regain oversight of quality control does not have to translate into a weakening of society's reflexivity, as the German case shows. This case, with which I will conclude this paper, is far from perfect but provides some interesting ideas about the structure that needs to be in place to ensure that universities can play a vital role in a risk society.

Humboldt 2.0?

The 1998 amendment to the Framework Act for Higher Education (HRG) non only interoducedd the differentiation between Bachelor and Master in Germany. It also strengthened the autonomy of the universities, providing them with additional scope for developing their own profiles. At the

[33] For another analysis in terms of academic freedom, see Williams 2016.

[34] A good example is the publication of an article published by Daryl Bem in Journal of Personality and Social Psychology and whose research findings became heavily contested. However, the journal refused to publish articles showing that the results were not replicable referring to a long-standing policy to do so. See also, A formal letter to the editor of JPSP, calling for a retraction of the article. https://replicationindex.wordpress.com/2018/01/05/why-the-journal-of-personality-and-social-psychology-should-retract-article-doi-10-1037-a0021524-feeling-the-future-experimental-evidence-for-anomalous-retroactive-influences-on-cognition-a/

[35] Quoted in the Jump 2015.

same time, it centralized the power within the institutions by giving more competences to the university management, backed by new public management methods, at the expense of the collegial decision-making, where professors used to have a major say. The German case differs in many respects from the British setup. The meta-observation is more differentiated, with ten quality assurance and accreditation agencies operating today in Germany.[36] Some agencies are more disciplinary in orientation, for instance ASIIN, the Accreditation Agency for Study Programs in Engineering, Informatics, Natural Sciences and Mathematics, and AHPGS, the Accreditation Agency for Study Programs in Health and Social Sciences. Most agencies also include students and stakeholders from the world of business, social partners or professions.

But the German system also differs when it comes to the control of these meta-observers. The body in charge of accrediting the QA agencies, the Council of Accreditation, consists of a mix of public and private stakeholders. Although the government remains being the final authority in this co-management structure, guaranteed by a veto right in the foundation council that supervises the work of the Council's management and the peer review process.[37] The self-governing body of the universities, the Rectors' Conference, has the second veto-right in this oversight body. This structure ensures that none the important decisions can be taken against the will of the government or universities. At the same time, however, this control structure is much more inclusive than its English counterpart, the Office for Students.

The new surveillance structure had, nevertheless, important acceptance problem as well. Universities complained about the high costs they often had to bear themselves and the significant increase in bureaucracy required for the review process, which was at the beginning set up for each single study programme (Pasternack et al. 2018; Suchanek et al. 2012). In order to reduce the administrative burden, a system of self-accreditation was introduced for universities that had already got a number of their study programmes successfully accredited. The last change has thus increased their autonomy to a level that is comparable to the UK arrangement.

The authority of quality assurance agencies also got challenged in Germany in recent years, though for very different reasons which makes the German case interesting for our endeavour to identify models for the future. In a seminal ruling the Constitutional Court decided in 2016 in favour of strengthening the governmental oversight.[38] However, the rationale for the strengthening of

[36] http://www.akkreditierungsrat.de/index.php?id=agenturen

[37] With government I mean the 16 individual federal states in charge of higher education and represented by the Standing Conference of the Ministers of Education and Cultural Affairs.

[38] A university had reacted to a decision of a QA agency not to accredit one of its study programs. The universities filed a complaint and argued that the accreditation requirement encroached on the freedom of research and teaching guaranteed by the constitution, since the norms imposed by the agencies constrained the independent determination of the content, organization and methodical approach of teaching (see, BVerfG, Order of the First Senate of 17 February 2016 - 1 BvL 8/10 - paras. 48.).

governmental oversight could not be more different from the English case. The Court ruled that the very act of accreditation amounts to such serious interference in the freedom of teaching and research that it cannot be delegated to a private entity that lacks democratic legitimacy. In other words, the curtailing of the competence of QA agencies was done in the name of academic values. As a consequence of this ruling the Council of Accreditation is now also in charge of accrediting study programmes. The evaluation of the programmes, however, continues to be based on the review carried out by the QA agencies.[39] Hence the agencies continue to have "full responsibility for their operations and the outcomes of those operations without third party influence" (3.3 EQAR 2015, p. 22), as the European guidelines require. Such an arrangement can still account for the diversity of the study programs. But it also opens up more space for the discussion about what counts as quality since it defers the accreditation decision to the Council where the government has the final say.

The constitutional court of Baden-Wuerttemberg, one of the German Laender, went even a step further in 2016 and undid the centralization within the universities that had been introduced with the overall institutional autonomy of universities. It ruled that the protection of the freedom of research and teaching also required a strengthening of the professors and of collegial decision-making, at the expense of the university management's power.[40] This ruling further strengthened academic freedom as the core value informing the governance of higher education institutions.

The curtailing of the QA agencies competences was well received by the higher education community, even though it essentially does not alter the process of a peer-review based quality assurance (see e.g. Pasternack et al. 2018; Lieb 2016). The strengthening of the governmental oversight rather helped to increase the credibility of the meta-governance. This fact sheds some interesting lights on the conditions that need to be in place to underpin the obligation of a highly differentiated science to 'take into account that there are other functional systems of this kind in society.' (Luhmann and Behnke 1994, p. 11).

The German case provides therefore some interesting insights into the enabling conditions for reflexivity. However, some important changes in the knowledge production, to which I will turn in the last section, raises important question about whether the strengthening of professors and hence their control over what counts as valid knowledge ensure that universities are able to cope with increased complexity.

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[39] A similar change has been introduced in Switzerland. See http://akkreditierungsrat.ch/en/.

[40] Constitutional Court for the country Baden-Württemberg VB 16/15. Pressemitteilung des VerfGH Baden-Württemberg vom 14.11.2016, https://verfgh.baden-wuerttemberg.de/de/presse-und-service/pressemitteilungen/pressemitteilung-14112016/ [last accessed 15/01/2019].

The digital turn

Today, universities are not only confronted with an increased diversity of their student body and a demand for increased diversity of their offers, essentially becoming "extended universities" (Gibbons 1998, 17). They also have to react to new, competing sites of knowledge production enabled by digital platforms. This diversification has important potential to anticipate unintended risks and to react quickly in cases of emergencies. However, its knowledge differs in part from scientific reasoning that strives for linearity and generalizability. What works in place A may not work in place B. Michael Gibbons calls this type of contextual knowledge Mode 2 knowledge, and contrasts it with scientific knowledge, Mode 1 knowledge (Gibbons 1998). Mode 1 is disciplinary-oriented and strives for generalization. Conversely, Mode 2 knowledge is contextual, temporary, and often less coherent. It includes a wider range of knowledge producers, a heterogeneous set of practitioners collaborating on a problem defined in a specific and localized context. In its totality, Mode 2 knowledge can better account for ambivalence, ambiguity and contradiction. It does not seek to find 'the best way' to solve every problem, but rather presents several equally valid modes of justification that operate simultaneously. Such an understanding is far from assuming that anything goes. It is rather an account of the increasingly fragmented nature of society, where the world can only be known partially but not as a whole. Gibbons' illustrations of Mode 2 are not unproblematic, since he keeps referring to the industry as an important user of this Mode 2 level. We should rather think of social movements and communities and the diversity of everyday life expertise that has gained visibility and been empowered through Web 2.0.

Companies have discovered the potential of this freely accessible and overwhelming abundance of knowledge on the Internet for their own research and development activities. The applications they disseminate for free help them to channel and appropriate this social knowledge with a view to turning it into a productive force (Boutang 2011; Fuchs 2014; Srnicek 2016). In contrast to the economy, universities have not yet come to terms with acknowledging this wealth of knowledge. The Humboldtian strengthening of the freedom of research and teaching and the faculties can hardly account for the diversification of knowledge that electronic platforms have made visible. In this sense, the German case provides an interesting point of departure but is far from being a model for the future of knowledge production in a highly fragmented world.

Conclusions

In this contribution, I have engaged with Beck's concept of risk society as a way of thinking about the future of universities. Following a Luhmannian perspective to a considerable extent, Beck places the specialization and decentralization of society at the center of his analysis. Both scholars

privilege a perspective which also informs my attempt to better account for the diversity of truths that goes beyond a postmodern diversity-is-beautiful plaidoyer. The rejection of the possibility that there is one panoptical view of the world underlines the impossibility of mastery, as Latour puts it (Latour 2003, 36). This has major consequences for thinking about the management of crisis management. The main question then becomes how best to organize decentralized systems so that they are attentive to their impact on other systems while maintaining their auto-poetic specialization. I argued that external quality assurance can and should play a vital role in this context as a second order observation structure, where the observer (QA agencies) observes how the observed (the HE institutions) observes. This structure can strengthen the reflexivity imperative on HE institutions, forcing them to demonstrate that they are attentive to other sub-systems. A systems-theoretical perspective also illuminates the importance that the second order observation itself is reflexive in order to be aware of its own blind spots and perspectivity.

The case studies have explored the rise of this new meta-governance structure and provide two important insights that are crucial for our thinking about the future of universities. It has also brought two important shortcomings of Mittelmann's analysis to the fore that we need to overcome in our intellectual endeavour.

Firstly, I have shown the important role of the EU and the Bologna Processes in promoting such a second order observation. A country comparison needs to take this role into account, which in turn rises important questions about the possibility of country comparison on more substantial grounds. How can such a comparison do justice to the different degrees of interdependence between nation states? The issues at stake are not only of methodological nature. They rather call for a more fundamental rethinking of the differentiation between national and international. The term polymorphism that Mittelman proposes in order to come to grips with the simultaneity of convergence and divergence lacks analytical sharpness. To think about the future of universities and of society in more general terms need a better understanding of the overdetermination of scales. This has also implications for how we think about universities. How does the overdetermination of scales play out in their quest for truths and other purposes they have?

The second insight my case studies have provided is related to a major change that this second order observation is facing in the light of increased governmental oversight, undoing important liberalization steps from the 1990s. This trend is so recent that it is not yet integrated in Mittleman's study. It also is a more subtle change that lacks the shrillness of current neo-mercantilist calls to give priority to national interests. My case studies have shown that there is not one single rationale that informs the governments' strategies to take back competences they once delegated. I have outlined an authoritarian, an ordo-liberal, and a Humboldtian rationale. I have argued that the

authoritarian as well as the ordo-liberal efforts to strengthen governmental oversight weakens the role of QA agencies in underpinning the reflexivity of higher education. The ordoliberal metric-led performance-based control is even more powerful in closing down the discussions between different stakeholders over the meaning of quality. Its "value for money" paradigm privileges the view of students as consumers and the employers in the reflexivity imperative at the expense of other partial views. This narrowing down weakens the universities' capacity to anticipate a much broader range of consequences. Knowledge that needs be sold as innovation cannot afford to point out its underbelly: the accident as an intrinsic part of the property of an object, as Virilio puts it. In contrast, the Humboldtian turn strengthens the self-referentiality of the system of science in the name of freedom of research and teaching. The increase in governmental oversight in this context intends to support the reflexivity of the second order observation. The backing through the Council of Accreditation supports quality assurance as a platform for discussing the meaning of quality in the concrete cases, which in turn helps to increase the legitimacy of the final decision.

However, important changes in the production of knowledge make it impossible to take the German case as a model for the future. The strengthening of the professors in the academic decision-making process can hardly account for the diversification of knowledge that had gained visibility through Web 2.0 and other media. This Mode 2 knowledge is often very contextual but vital to spot and react to risks and unintended consequences. The economy has discovered this knowledge as a vital productive force. Surprisingly little discussion has taken place so far about how we could better use this knowledge in the interest of society. We do not yet know how Mode 2 knowledge can be interrelated with Mode 1 knowledge. This is one of the main tasks that universities need to tackle in order to play a vital role in an ever more global risk society.

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